



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

December 6, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John C. Beatty, III
Diamond Chrome Plating, Inc.
604 South Michigan Avenue
P.O. Box 557
Howell, Michigan 48844

Dear Mr. Beatty:

SUBJECT: Compliance Communication and the 2011 Catch Basin Annual Monitoring Report for the Diamond Chrome Plating Facility, 604 South Michigan Avenue, Howell, Livingston County; Judicial Consent Decree No. 03-1862-CE; Site ID: 47000202

On September 16, 2011, the Michigan Department of Environmental Quality (DEQ), Remediation Division (RD), Lansing District Office, received a copy of your annual Catch Basin Monitoring Report (CBMR) as prepared by your consultant, BB&E LLC. Previously, the DEQ granted a two-week date extension for submittal of this report which is subject to Section 6.6(d) of the above-referenced Judicial Consent Decree (JCD).

Your consultant proposes that the 2011 CBMR be the final annual report for ongoing catch basin monitoring approved under the catch basin monitoring plan (CBMP) and states that all necessary data is presently compiled in the quarterly progress reports which are not subject to DEQ review beyond inclusion of elements specified in Section 6.11 of the JCD.

Data contained within the 2011 CBMP annual report support that Diamond Chrome Plating (DCP) must continue to monitor the storm sewer due to exceedence of action levels for hexavalent chromium, total chromium, cadmium, and copper within the September 2010 to August 2011 reporting period. Maximum concentrations include: hexavalent chromium – 270 ug/l (09/15/2010); total chromium - 750 ug/l (01/25/2011); cadmium – 120 ug/l (09/15/2010); and copper – 120 ug/l (08/27/2011). Action levels in the CBMP triggering contingency plan response measures of the Catch Basin Monitoring Contingency Plan (CBMCP) are: hexavalent chromium (chrome-6) at 32 ug/l; total chromium at 212 ug/l; cadmium at 5 ug/l; and copper at 23 ug/l.

The DEQ will not support dropping the annual report at this time. Our reasons include: exceedences of contaminant action levels in storm sewer samples which trigger response activities under the CBMCP; demonstrated ongoing infiltration of groundwater containing hazardous substances from DCP's releases into the storm sewer; and data quality concerns described below.

7. Groundwater flow elevation trends must be discussed in terms of suspected infiltration of contaminated groundwater from DCP sources into the storm sewer over the reporting period.
8. Include a description of characterization, handling, and disposal of wastes generated by response activities, if applicable, during the reporting period.
9. Provide a schedule for future response activities to address exceedences of the action level per provisions of the CBMCP.

If DCP elects not to modify the 2011 annual report as requested, this correspondence shall be attached to the 2011 annual report. If DCP elects to modify the 2011 annual report, please incorporate the above comments in the revised report. Please be advised that the DEQ may request submittal of an annual catch basin monitoring report that is subject to DEQ approval under Section 6.10 of the JCD if DCP continues to submit reports that fall short of the intent of the JCD.

The DEQ is requesting submittal of the 2012 Catch Basin Annual Monitoring Report on **September 17, 2012.**

The 2012 annual report need not include raw data such as laboratory reports and visual inspection reports which are required elements in the quarterly progress reports. The progress report data may be referenced in the annual report. Quarterly groundwater elevation maps and relevant figures are to be included. DCP is reminded that the purpose of the Catch Basin Annual Monitoring Report is to review sampling trends over the year, evaluation and actions taken by DCP to address action level exceedences, and a discussion of response actions undertaken by DCP in terms of performance objectives set forth in Section 6.1 of the JCD.

DEQ Compliance Concerns:

Upon review of the CBMP annual report and DCP's history of notification of JCD covered sampling and work activities, the DEQ has identified compliance concerns as stated below:

CBMP Change of Conditions and Quality Assurance Project Plan:

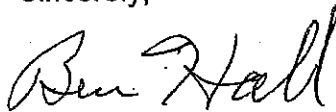
The CBMP annual report indicates that DCP is periodically adding ferrous sulfate to the storm sewer to reduce concentrations of hexavalent chromium in the storm sewer. If this is an interim response activity, it has not been approved by DEQ, RD. The annual report does not explain how much material or when the materials are added in relation to its NPDES permit to treat contaminated storm water prior to outfall, or the timing of collection of catch basin samples with regard to addition of ferrous sulfate to storm sewer waters.

The addition of ferrous sulfate to the storm sewer without accommodating the additions in collection of samples is not an approved action under the CBMP. In addition, the chain of custody for September 15, 2010, indicates that ferrous sulfate was added to six samples and was not added to two of the samples. No information is provided as to why this action was performed and whether or not data from samples collected under the CBMP was compromised as a result of the additives. The addition of ferrous sulfate to the storm sewer

December 6, 2011

If you have any questions regarding this letter, please contact Ms. Rebecca Taylor at 517-335-6247; taylorr@michigan.gov; or Department of Environmental Quality, P.O. Box 30242, Lansing, Michigan, 48909.

Sincerely,



Ben Hall, District Supervisor
Lansing District Office
Remediation Division
517-335-6228

bh/rt/cah

cc: Ms. Beth S. Gotthelf, Butzel Long
Mr. James Colmer, BB&E LLC
Ms. Carla Davidson, DEQ
Mr. Brad Ermisch, DEQ
Ms. Rebecca Taylor, DEQ